

OFFICE OF THE  
 ATTORNEY GENERAL OF TEXAS

## Working with Victims of Gang Violence

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What is a Gang?

- ▶ Three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.  
*Texas Penal Code Sec. 71.01 (d)*
- ▶ Street gang
- ▶ Prison gang
- ▶ Outlaw motorcycle gang
- ▶ Hate and extremist group
- ▶ Human and drug trafficking organizations

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What are Gang Crimes?

- ▶ Violent crime
  - Assault
  - Sexual violence
  - Murder
- ▶ Property crime
  - Graffiti and vandalism
  - Theft
  - Identity theft and financial crimes
- ▶ Crimes against the community
  - Narcotics
  - Prostitution

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## Victims and Witnesses

- ▶ Reluctant witnesses
  - Witness intimidation
  - Community apathy and fear
  - Lack of trust in the criminal justice system
- ▶ Victim intimidation
  - Harassment of victim and family
  - Gang may control the neighborhood where victim lives
  - Lack of a support system may cause a feeling of "one victim versus the entire gang."

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## Witnesses to Gang Violence

- ▶ Witnesses to gang crimes need to feel safe in reporting the crime and in cooperating with law enforcement.
- ▶ Consider witness intimidation in all aspects of investigation, prosecution and even post-conviction.
- ▶ Create empowered neighborhoods where gangs cannot operate with immunity.
- ▶ Address any bias or preconceptions about victims and witnesses to gang crimes before the crime occurs.
- ▶ Perform outreach in "gang" neighborhoods.
- ▶ Use the multidisciplinary approach in your outreach.
- ▶ Work with all the positive "players" to build trust.

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## Gang Culture (Slide 1 of 2)

- ▶ Gang culture is violent and normal values may not apply.
- ▶ There may be a kill-or-be-killed mentality.
  - How a gang member dies may be more important than the life the member lead.
- ▶ The gang definition of "respect" is based on fear, not normal social values.
  - To be respected in this life is to be feared.
  - No respect for law enforcement or the courts
- ▶ The presence of narcotics, violent crime and weapons creates a culture that solves problems with violent action.

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## Gang Culture (Slide 2 of 2)

- ▶ Gang culture is misogynistic.
  - Females are generally seen as "second class" citizens in the gang culture.
  - Females may face drug and alcohol addiction.
- ▶ Females face violence.
  - High potential for domestic violence and violence against women in gang culture
  - Females may be forced into prostitution or other demeaning activities.
  - A female may become pregnant and the presence of a child or children may enhance her dependence on the gang or individual members.

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## What is the Role of the Female?

- ▶ Spouse or "significant other"
  - This role may offer some protection from outside threats but puts the female at risk for domestic violence and secondary victimization.
- ▶ Gang property
  - This role places the female at high risk for violence and narcotics addiction.
- ▶ Associate or "hang around"
  - This role places the female in dangerous settings and at risk for sexual violence and secondary victimization.
- ▶ Active gang member
  - This role sees females acting in the same violent ways as males.

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## Females in Gang Culture (Slide 1 of 3)

- ▶ Personal relationship with an individual member places a female in unique roles of power and weakness.
  - The wife or long-time girlfriend of a powerful gang member may have power and control over other females and even younger male gang members.
  - A disgruntled and often abused wife may make an excellent witness, but she will need protection and help.
- ▶ The presence of children in a relationship creates an interesting dynamic in gang culture.
  - Multigenerational gangs exist with children following the illegal path of parents.
  - Having a child may be the factor that causes a female to attempt to leave the gang life.

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## Females in Gang Culture (Slide 2 of 3)

- ▶ Females serve many purposes in gang life.
  - Traditionally associated roles of mother and wife
  - Subtle and/or obvious leadership positions
  - Active participants in violence and criminal activity
  - Sexual resource that may be used for personal and financial gain
  - Source of money through legitimate and illicit means
  - Source of information on rivals and law enforcement
  - The nature of how the female became part of the gang may also have an impact on how she is perceived by the group.

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## Females in Gang Culture (Slide 3 of 3)

- ▶ Females may suffer physical and sexual abuse.
  - Forced prostitution
    - Sexually transmitted diseases are a high risk.
  - Drug addiction brings additional problems.
  - Domestic violence is often not reported.
  - Research points out that many females in gang life reported child sexual and physical abuse before joining a gang.
- ▶ Emotional abuse
  - Females may be socially isolated.
  - Substantial risk of suicide and self-harm exists.

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## Barriers for Females

- ▶ Criminal record
  - Ongoing court cases and/or previous criminal convictions may create barriers to services.
  - Female may not trust any social service provider, as she views this organization as an extension of the courts.
- ▶ Addiction
  - Research points to a higher potential for binge drinking and narcotics use.
- ▶ Health issues
  - The lifestyle may create health issues that will need to be addressed.
- ▶ Loss of child(ren) to the state

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### Children in Gang Culture (Slide 1 of 3)

- ▶ Exposure to violence
  - Children may regularly witness violence, including assaults, rape and murder.
  - Children may be victims of abuse and neglect.
  - Children may exhibit antisocial behavior in school and may commit juvenile offenses.
- ▶ Exposure to drugs and antisocial messages
  - Drugs and gangs are intertwined with children having early interaction with alcohol and narcotics.
  - Children may be socialized in an "anti-establishment" model that suppresses the ability to self-report problems or to seek help.

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### Children in Gang Culture (Slide 2 of 3)

- ▶ Gang members come from all walks of life and socio-economic groups.
  - Any child or adolescent is at risk to join a gang.
- ▶ Second-generation gang children may face difficult home-life issues as a result of parent choices.
  - Poor nutrition
  - Lack of parenting and supervision
  - Homelessness
  - Exposure to violence

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### Children in Gang Culture (Slide 3 of 3)

- ▶ Potential for law enforcement contact
  - As a witness to a crime
  - As a victim of a crime
  - As a suspect in a crime
- ▶ Juvenile probation contact
  - As a client due to criminal actions
  - As a victim with a juvenile defendant
- ▶ CPS and foster care contact
  - Removal from home setting may be required.
- ▶ School contact
  - Violation of school rules and disciplinary placement
  - Educational disabilities are possible

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## Hate and Extremist Groups

- ▶ Hate, extremist and anti-government groups operate along similar lines as more traditional gangs.
- ▶ These groups may exhibit no respect for legal authority.
- ▶ There is potential for violence when law enforcement, child welfare or social service providers contact a member.
- ▶ Children may be raised to fear anyone within the school or governmental process.
- ▶ History has shown patterns of child abuse and neglect within extremist populations.

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## Working with Victims and Witnesses of Gang Crime

- ▶ Acceptance within the victim services world
  - Overcome bias against this population
  - Learn about gang culture (contact law enforcement)
- ▶ Culturally appropriate outreach
  - Understand your audience
  - Multilingual approach
- ▶ Acknowledgement of needs
  - Reluctance to leave setting
  - Housing
  - Employment
  - Medical/emotional care

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## Resources

- ▶ Law enforcement
  - Victim services and training on local gang issues
- ▶ Prosecution victim services
- ▶ Probation victim services
- ▶ State services
  - Crime Victims' Compensation
  - DPS Victim Services
  - TDCJ Victim Services
- ▶ Victim advocacy organizations
  - MADD
  - Children's Advocacy Centers
  - TCFV, TAASA
  - Homicide survivors

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## Thank You

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